



Superior Court of the State of California
County of Kings
 1426 South Drive, Hanford, CA 93230
 (559) 582-1010

There will be absolutely no refunds or exchanges on the purchase of court forms or packets

Dissolution of Marriage, Legal Separation, or Nullity of Marriage
 Packet Purchase Price: \$20.00

A **Dissolution of Marriage** (divorce) in California, either you or your spouse must have lived in:

- California for the last 6 months, **AND**
- The county where you plan to file the divorce for the last 3 months.

If you and your spouse have lived in California for at least 6 months but in different counties for at least 3 months, you can file in either county.

If you do not meet the residency requirement, you can still file for a legal separation. Once enough time has passed so that you meet the residency requirement for a divorce, you may file an "amended petition" and ask the court for a divorce.

A **Legal Separation** does not end a marriage. You can't marry or enter into a partnership with someone else if you are legally separated (and not divorced). A legal separation is for couples that do not want to get divorced but want to live apart and decide on money, property, and parenting issues.

An **Annulment** (or "nullity of marriage") is when a court says your marriage is NOT legally valid. A marriage can be declared "void" because of: an incestuous or bigamous marriage; of force, fraud, unsound mind, physical incapacity; petitioner's age at time of marriage; or a prior existing marriage

Filing fees :

Petition or **first paper** (for petitioner).....\$ 320.00

Response to the Petition or **first paper** (for respondent).....\$ 320.00

There may be other forms and/or attachments you may need in your particular case.
 Forms are available at the Clerk's Office on specific request , for a fee of .50¢ per page.

Form number	Name of form:	Instructions provided on form?	Last revised on:	# of pages
Forms used to open a family law case:				
FL 100	Petition	yes	01-01-05	2
FL 110	Summons	yes	01-01-06	2
FL 150	Income and Expense Declaration (if applicable, copy and attach your paystubs on an 8 1/2" x 11" sheet and staple behind page 4)	no	01-01-07	4
Form completed if there are minor children:				
FL 105	Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)	yes	01-01-07	2
Forms served blank to the other party:				
*note only one of each of the following forms is included in this packet, you must make an extra copy prior to completing or purchase additional forms at the Clerk's Office :				
FL 150	Income and Expense Declaration	no	01-01-07	4
FL 105	Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)	yes	01-01-07	2
FL 120	Response -Marriage	no	01-01-05	2
Form used after service is performed:				
FL 115	Proof of Service of Summons (Family Law)	no	01-01-05	2
FL 117	Notice and Acknowledgment of Receipt (Family Law) (optional use)	no	01-01-05	1
Forms continued on page 2				

Miscellaneous forms:				
FL 160	Property Declaration	yes	01-01-07	2
FL 161	Continuation of Property Declaration (attached to FL160)	no	01-01-05	2
FL 140	Declaration of Disclosure (form is NOT filed with the court)	yes	01-01-03	1
FL 141	Declaration Regarding Service of Declaration of Disclosure	yes	01-01-03	1
FL 130	Appearance, Stipulations, and Waivers	no	01-01-06	1
Forms for Default and Judgment:				
FL 165	Request to Enter Default (Family Law-Uniform Parentage)	yes	01-01-05	2
FL 170	Declaration for Default or Uncontested Dissolution or Legal Separation	no	01-01-07	2
FL 180	Judgment	no	01-01-07	2
FL 190	Notice of Entry of Judgment (Family Law)	yes	01-01-05	1
Forms regarding Child Support:				
FL 191	Child Support Case Registry Form	no	07-01-05	4
FL 192	Notice of Rights and Responsibilities	no	01-01-06	2
FL 195	Order/Notice to Withhold Income for Child Support	yes	no date	2

Please be aware of the following information:

- ☒ The Court will require the same adherence to all of the laws of the State and California Rules of Court, as if you were represented by an attorney.
- ☒ Clerk personnel are not permitted to, nor will they give legal advice or help in completing any form. *Please do not ask our clerks to give you legal assistance or advice.* The Clerk of the Court and his deputies are prohibited by law from rendering legal assistance or advice in court proceedings (Sec. 24004 & 68082 Gov. code). Persons appearing in their own behalf are responsible for preparing and presenting their pleadings in complete and proper form without legal assistance from deputies of the Superior Court Clerk's office.

Assistance may be obtained from:

- ☒ Questions pertaining to legal matters or the proper completion of the appropriate forms should be answered by an attorney. See the Family Law Facilitator schedule enclosed in this packet.
- ☒ **Kings County Superior Court web site** is located online at www.kings.courts.ca.gov
- ☒ **Self-Help Center** located online at www.courtinfo.ca.gov. Judicial Council forms of California can be accessed, filled in, and printed at this website.
- ☒ A **typing** or **paralegal service**. A list of these services can be obtained from this office.
- ☒ California Law Codes such as family codes, civil codes, government codes, etc. www.leginfo.ca.gov.

Preparing documents for filing:

- ❖ All pleadings and papers must be typed or legibly handwritten in blue or black ink.
- ❖ The law requires **your** name (petitioner), address, and telephone number be typed or legibly handwritten in blue or black ink in the upper left hand corner of all documents presented for filing.
- ❖ Each original form submitted for filing must be two-hole punched at the top.
- ❖ Personnel in the Clerk's office have been instructed not to file any papers which are not properly completed or assembled.

Do I complete all the forms?

No, not all forms included in this packet are filed with the ***Petition*** (form *FL 100*). There are forms in this packet that will be utilized at a later time, depending on your circumstance.

From each original form, how many copies do I make?

1. one copy for yourself
2. at least one copy for the other party

How do I make copies?

Each two sided copy must be tumbled (180°) (as presented in the packet)

How are forms assembled?

Each set of forms must be *stapled*. Staple together each form with multiple pages.

Example: the ***Income and Expense Declaration*** form has four pages and you may need to attach your paystubs to the back, all four pages and attachments are to be stapled together as one set).

What do I do with my forms?

Submit your completed and assembled forms to the clerk's office to open your case. Clerk personnel are not permitted to assemble your paperwork for you.

Your copies will be stamped with a case number, conformed and returned to you.

See the section in on page 2 of this coversheet regarding who you can obtain assistance from.

The Judgment of Dissolution of Marriage shall set forth the following:

- a. The legal and physical custody of the minor children (name each child/children and give date of birth) and visitation;
- b. Child support (payment through Department of Child Support Services to enforce if recipient of child support is receiving public assistance);
- c. Spousal support and/or waiver of same;
- d. Specifically set forth in the judgment the division of property, including legal descriptions of real property, vehicle license numbers and the descriptions;
- e. Division of debts - names of creditors and amounts;
- f. Restraining orders requested;
- g. If additional space is needed to complete proposed Judgment use 8 1/2 " X 11 " sheet of plain paper to type continuation, providing a date and signature line on the bottom of the page as shown on the Judgment, and attach as "Page 2".

Preparing and submitting a Judgment (form #FL180):

A **Judgment** is submitted for Judge's review and signature. Submit to the clerk's office the original and three (3) copies:

1. the original for the court file
2. one copy for the court to keep for the state
3. one copy for yourself
4. one copy for the other party or attorney for the other party in this case

Notice of Entry of Judgment (form #FL190):

See detailed instructions on this form on the instruction sheet included in this packet. You are to complete the addresses, on the lower portion of this form as indicated.

Submit to the clerk's office the original and two (2) copies:

1. the original for the court file
2. one copy for yourself
3. one copy for the other party or attorney for the other party in this case
4. one **self addressed/stamped** envelope for yourself . The envelope must be large enough to accommodate the Judgment. Preferably an 8 ½" x 11" envelope. There must be enough postage on the envelope to mail the judgment.
5. one **self addressed/stamped** envelope for the other party or attorney for the other party . The envelope must be large enough to accommodate the Judgment. Preferably an 8 ½" x 11" envelope. There must be enough postage on the envelope to mail the judgment.

IMPORTANT NOTES:

Failure to complete the **Judgment** and/or the two self addressed stamped envelopes may cause the **Judgment** to be rejected and placed in the pick-up drawer unsigned and/or unprocessed. This means your dissolution/legal separation/nullity will not be final.

In a case where child support or family support is ordered, the parent who submits a judgment or order must complete the attached form, **Child Support Case Registry Form** (FL191) and submit it to the court. If any modifications or changes arise, you are required to submit a new **Child Support Case Registry Form** (form FL191) to the court.